

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

AMENDMENT "E"

APPLICANTS: Tsuyonobu Hatazawa et al. ATTY DOCKET NO: 09792909-4673  
SERIAL NO.: 09/718,767 GROUP ART UNIT: 1746  
DATE FILED: November 22, 2000 EXAMINER: J. Crepeau  
INVENTION: "NONAQUEOUS ELECTROLYTE BATTERY"

Commissioner for Patents  
P.O. Box 1450, Alexandria, VA 22313-1450

S I R:

This Amendment "E" is filed in response to the Office Action of May 14, 2003. Please reconsider the application in view of the amendment and remarks presented below.

IN THE CLAIMS

Please amend claims 1 and 5 as follows:

1. (Three Times Amended) A nonaqueous electrolyte battery comprising:
  - a battery element contained in an outer covering member composed of a laminated film and sealed therein by heat seal;
  - a gas absorbable material and resin material interposed between an outermost layer of said outer covering member and said battery element, a content of the gas absorbable material being in a range of 0.1wt% to 95wt% on a basis of a weight of the resin material;
  - a first gas absorbable member positioned at a first side of the battery element; and
  - a second gas absorbable member positioned at a second side of the battery element opposite the first side;
  - said laminated film having a first outer covering member and a second outer covering member;
  - said first outer covering member having a recess accommodating the battery element;
  - said second outer covering member extending from one side of the first outer covering member and folded onto the first outer covering member covering the battery element and recess;
  - said first outer covering member and said second outer covering member are a single piece of material.
5. (Amended) A nonaqueous electrolyte battery according to claim 1, wherein said gas